

**Opening Statement of the Honorable Greg Walden**  
**Subcommittee on Communications and Technology**  
**Markup of “A Bill to Affirm the Policy of the United States Regarding Internet**  
**Governance”**  
**April 10, 2013**

*(As Prepared for Delivery)*

Last year, the House and Senate unanimously passed resolutions expressing the sense of Congress that the United States should promote a global Internet free from government control. At the time, our U.S. delegation was preparing to negotiate a treaty in Dubai on international telephone policy that we feared some countries would use to regulate the Internet. By all accounts, our resolution emboldened more than 50 nations to join the United States in opposing proposals to drag the Internet within the ambit of the International Telecommunication Union, a U.N. agency.

Unfortunately, that was the start, not the end, of international efforts to regulate the Internet. And just as international opponents of an Internet free from government control are redoubling their efforts so, too, must we.

That is why earlier this year we held a hearing on legislation taking the language of last year’s resolution and making it the official policy of the United States. And that is why we are marking up that legislation today. I want to emphasize that this is the same language we passed last year. By elevating the legislation to the official policy of the United States instead of just a resolution urging the U.S. delegation to oppose a particular treaty proposal, Congress will demonstrate its commitment to Internet freedom and push back on those nations that might subvert the Internet for their own purposes. It will show the strength of our nation’s resolve to keep the Internet free from government control, free from censorship, and free to spread democracy and economic prosperity around the world.

Governments’ hands-off approach has enabled the Internet to grow at an astonishing pace and become perhaps the most powerful engine of social and economic freedom and job creation the world has ever known. Under the current multi-stakeholder governance model, non-regulatory institutions manage and operate the Internet by developing best practices with public and private sector input.

This is not to say that the Internet operates outside the law. To be sure, illegal activity should be no less illegal simply because someone has used digital tools rather than ones of brick and mortar. Fraud is fraud, for example, whether perpetrated by paper, over the phone, or via the web. Child pornography is no more legal if it is disseminated over the Internet rather than in photographs and magazines. But punishing illegal activity is different than regulating the Internet itself. The structure of the Internet and the content and applications it carries are organized from the ground up, not handed down by governments. This allows the Internet to evolve quickly, to meet the diverse needs of users around the world, and to keep governmental or non-governmental actors from controlling the design of the network or the content it carries.

Last Congress we “talked the talk” and passed a resolution defending a global Internet free from government control. This Congress we must “walk the walk” and make it official U.S. policy. If this is a principle that we truly believe in, there is no downside to stating so plainly in U.S. law.

As the world is literally watching this subcommittee — ironically via the very multistakeholder-driven Internet this legislation would protect — I urge my colleagues to continue the bipartisan cooperation this subcommittee displayed last Congress and affirm that the Internet is too important to the world to be run by governments.

###